



Atty. Docket No.: 3124-Z

*Image*

AF/1645

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Richard J. Feldmann

Serial No. 09/866,925

Group Art Unit 1645

Filed: May 30, 2001

Examiner John S. Brusca

For: Algorithmic determination of flanking DNA sequences  
that control the expression of sets of genes in  
prokaryotic, archea and eukaryotic genomes

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals  
and Interferences from the decision dated October 8, 2003 of the  
Primary Examiner finally rejecting Claims 20 - 37.

The Appeal fee (\$165.00) is:

XX Enclosed: Check - \$375.00 (\$165.00-Notice of Appeal/  
\$210.00-2 month extension).

Not required (fee paid in prior appeal in this application  
with no Board decision on the merits.)

XX Petition is hereby made to the Commissioner of Patents and  
Trademarks to extend the period for filing this Notice of  
Appeal for two (2) months, so as to expire March 8, 2004.  
The fee for this extension is included in the attached check.

The Commissioner is hereby authorized to charge any additional  
fees which may be required (or credit any overpayment) to Deposit  
Account No. 26-0090.

03/10/2004 BABRAHA1 00000031 09866925

Respectfully submitted,

01 FC:2401  
02 FC:2252

165.00 OP  
210.00 OP

*Jim Zegeer*

Jim Zegeer, Reg. No. 18,957  
Attorney for Applicants

Suite 108  
801 North Pitt Street  
Alexandria, VA 22314  
Telephone: 703-684-8333

Date: March 8, 2004

In the event this paper is deemed not timely filed,  
the applicant hereby petitions for an appropriate  
extension of time. The fee for this extension may  
be charged to Deposit Account No. 26-0090 along  
with any other additional fees which may be  
required with respect to this paper.